

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

7175-78572

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/553086

INTERNATIONAL APPLICATION NO.

PCT/US2004/010808

INTERNATIONAL FILING DATE

08 April 2003 (08.04.03)

PRIORITY DATE CLAIMED

11 April 2003 (11.04.03)

TITLE OF INVENTION

SYSTEM FOR COMPRESSION THERAPY

APPLICANT(S) FOR DO/EO/US

BIONDO, John P.; PIETSCH, Catherine A.; SLEVA, Michael Z.; BRANSON, Gregory W.; LOCKWOOD, Jeffrey S.; HOPKINS, Rachel Elizabeth; O'NEAL, Todd P.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 417055477 US
23. ☒ Other items or information:
 - a. Copy of Written Opinion of the International Searching Authority;
 - b. Letter Accompanying Declaration and Indicating Ten Practitioners Pursuant to 37 CFR 1.32(c)(3);
 - c. Certificate Under 37 CFR 1.10.; and
 - d. Copy of Form PCT/IB/306 Relating to HOPKINS, Rachel Elizabeth

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/553086		PCT/US2004/010808		7175-78572	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input checked="" type="checkbox"/> Basic national fee	\$300	\$	\$300.00		
25. <input checked="" type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).	\$100	\$	\$200.00		
All other situations.	\$200				
26. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100				
International Search Report prepared and provided to the Office	\$400				
All other situations.	\$500	\$	\$100.00		
TOTAL OF 24, 25 and 26 =				\$	\$600.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0	/50 =	0	x	\$250.00
				\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	28 - 20 =	8	x	\$50.00	\$
Independent claims	1 - 3 =	0	x	\$200.00	\$
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$1,000.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$1,000.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$1,000.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
TOTAL FEES ENCLOSED =				\$	\$1,000.00
				Amount to be	\$
				Amount to be	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1,000.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>10-0435</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>CONARD, Richard D. BARNES & THORNBURG 11 South Meridian Street Indianapolis, IN 46204 US</p> <p>Customer No. 23643</p>					
				SIGNATURE	
				Ronald S. HENDERSON, 10/10/2005	
				NAME	
				43669	
				REGISTRATION NUMBER	

11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313
(317) 231-7433 Fax

IN THE UNITED STATES PATENT OFFICE

<i>Earliest Priority Date:</i>	11 April 2003 (11.04.03)	}
		}
		}
<i>International Serial No.:</i>	PCT/US2004/010808	}
		}
		}
<i>U.S. Serial No.:</i>	Unknown	}
		}
<i>Invention:</i>	SYSTEM FOR COMPRESSION THERAPY	}
		}
		}
<i>Applicant:</i>	BIONDO, John P.; PIETSCH, Catherine A.; SLEVA, Michael Z.; BRANSON, Gregory W.; LOCKWOOD, Jeffrey S.; HOPKINS, Rachel Elizabeth; O'NEAL, Todd P.	}
		}
		}
<i>International Filing Date:</i>	08 April 2003 (08.04.03)	}
		}
		}
<i>Attorney Docket:</i>	7175-78572	}

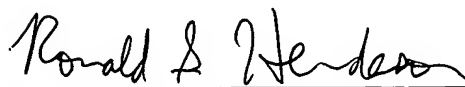
CERTIFICATE UNDER 37 C.F.R. § 1.10

MAIL STOP PCT
Attention: DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Express Mail" Mailing Label No.: EV 417055477US
Date of Deposit: 11 October 2005 (11.10.05)

I hereby certify that this paper or fee is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.


Ronald S. Henderson

Indianapolis, Indiana

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IN THE UNITED STATES PATENT OFFICE

Earliest Priority Date: 11 April 2003 (11.04.03)

International Serial No.: PCT/US2004/010808

U.S. Serial No.: Unknown

Invention: SYSTEM FOR COMPRESSION THERAPY

Applicant: BIONDO, John P.; PIETSCH, Catherine A.; SLEVA, Michael Z.; BRANSON, Gregory W.; LOCKWOOD, Jeffrey S.; HOPKINS, Rachel Elizabeth; O'NEAL, Todd P.

International Filing Date: 08 April 2003 (08.04.03)

Attorney Docket: 7175-78572

Certificate Under 37 CFR 1.10

Express Mail No.: EV417055477US

Date of Mailing: 11 October 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

Ronald S. Henderson
(Signature)

Ronald S. Henderson
(Typed or Printed Name of Person Mailing Paper or Fee)

LETTER ACCOMPANYING DECLARATION AND INDICATING TEN PRACTITIONERS PURSUANT TO 37 CFR 1.32(c)(3)

Attn: DO/EO/US
Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

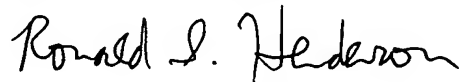
Agent for applicants BIONDO, John P.; PIETSCH, Catherine A.; SLEVA, Michael Z.; BRANSON, Gregory W.; LOCKWOOD, Jeffrey S.; HOPKINS, Rachel Elizabeth; and O'NEAL, Todd P. who signed the counterpart Declaration and Power of Attorney--Patent Application for U.S. national application serial no. unknown, the national phase of PCT/US2004/010808 filed 08 April 2003 (08.04.03) indicates the following ten (10) practitioners to be recognized by the United States Patent Office as being of record under **Customer No. 23643** in the above-identified application:

<u>Attorney Name</u>	<u>Attorney Registration No.</u>
Richard D. CONARD	27321
Ronald S. HENDERSON	43669
Dilip A. KULKARNI	27510
Kevin D. BAILEY	46531
Carli E. STEWART	51058
Bradford G. ADDISON	41486
Richard B. LAZARUS	48215
Jeffrey A. MICHAEL	37394
James R. SWEENEY II	45670
Perry PALAN	26213

This Letter is being submitted to comply with 37 CFR 1.32(c)(3) effective June 25, 2004, to fulfill the requirements for completing the items to avoid abandonment under the circumstance wherein the original counterpart Declaration and Power of Attorney was executed in accordance with the U.S. patent laws in effect at the time of execution, but wherein the patent law changed prior to the fulfillment of all items.

With the entry of the executed Declaration and Power of Attorney--Patent Application and this letter, applicants believe that all requirements have been completed and request the further processing of the above-identified application.

Respectfully submitted,



Ronald S. HENDERSON
Attorney Reg. No. 43669

RSH/mje/756552v1
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